

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

MICHAEL JOSEPH WRIGHT,

Plaintiff,

v.

Case No: 6:22-cv-1147-WWB-LHP

ELLIOTT JAMES EDWARDS,

Defendant

ORDER

This cause came on for consideration without oral argument on the following motion filed herein:

**MOTION: PLAINTIFF MICHAEL JOSEPH WRIGHT'S
MOTION FOR JUDICIAL NOTICE OF
ADJUDICATIVE FACTS (Doc. No. 29)**

FILED: May 2, 2023

THEREON it is ORDERED that the motion is DENIED.¹

¹ The Court does not require the benefit of a response from Defendant to resolve the motion.

Plaintiff, appearing *pro se*, has filed the above-styled motion for “judicial notice of adjudicative facts,” in which he appears to be asking the Court to take judicial notice of the truth of the allegations of his second amended complaint and to grant the relief requested therein, and to take judicial notice that Defendant’s motion to dismiss contains false statements. Doc. No. 29. On review, Plaintiff’s motion fails to establish entitlement to the relief sought. *See generally United States v. Jones*, 29 F.3d 1549, 1553 (11th Cir. 1994) (“In order for a fact to be judicially noticed under Rule 201(b), indisputability is a prerequisite.” (citation omitted)); *Gomez v. Lozano*, No. 09-22988-CIV, 2010 WL 11505113, at *2 (S.D. Fla. Dec. 30, 2010) (“[T]o be considered an ‘adjudicative fact’ capable of judicial notice, ‘[a] judicially noticed fact must be one not subject to reasonable dispute in that it is . . . capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned.” (quoting Fed. R. Evid. 201(b))). *Cf. B&G Equip. Co., Inc. v. Airopog USA, LLC*, No. 8:19-cv-403-T-36AEP, 2020 WL 1478504, at *7 (M.D. Fla. Mar. 26, 2020) (taking judicial notice only of the fact that a complaint was filed in another case, but “not the truth or accuracy of those allegations or any matters asserted” in that litigation).

To the extent that Plaintiff is arguing that the second amended complaint should stand and Defendant’s motion to dismiss be denied, the motion to dismiss,

Doc. No. 18, along with Plaintiff's already-filed response, Doc. No. 20, will be addressed in due course.

DONE and **ORDERED** in Orlando, Florida on May 8, 2023.



LESLIE HOFFMAN PRICE
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties